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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,821	03/30/2004	Rajesh Karunamurthy	P18712US1	3058
7590 Alex Nicolaescu Ericsson Canada Inc. Patent Department 8400 Decarie Blvd. Town Mount Royal, QC H4P 2N2 CANADA			EXAMINER SIKRI, ANISH	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 09/21/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/811,821

Applicant(s)

KARUNAMURTHY ET AL.

Examiner

Anish Sikri

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/30/04, 8/25/05</u> | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

**Information Disclosure Statement**

The information disclosure statement submitted on 3/30/04, and 8/25/05 been considered by the Examiner and made of record in the application file.

***Drawings***

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings are hand-drawn. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims **1-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansche et al (US Pub 20030041101), in view of Mulligan (US Pub 20030084177).

Consider **claim 1**, Hansche et al discloses a method for obtaining presence information comprising the steps of: a. receiving a request for presence information (Hansche et al, [0015], [0016], [0018], [0020], [0025], [0027], [0034]), the request comprising an indication of one or more criteria associated with presence entities; b. retrieving presence information for each one of a plurality of presence entities (Hansche et al, [0015], [0016], [0018], [0020], [0025], [0027], [0034]); and determining those presence entities of the plurality of presence entities that match the one or more criteria (Hansche et al, [0015], [0016], [0018], [0020], [0025], [0027], [0034]).

But Hansche et al fails to disclose the use of filtering the presence of information of the plurality of presence entities.

Nonetheless, Mulligan discloses the use of filtering the presence of information of the plurality of presence entities (Mulligan, [0014], [0042], [0048], [0052]).

Therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of filtering of information (presence entities), taught by Mulligan, in the system of Hansche et al, for the purpose of managing efficient use of various presence entities throughout the system/network.

Consider **Claim 2**, Hansche et al as modified by Mulligan discloses method claimed in claim 1, further comprising the step of: d. responsive to the request, sending to a watcher a response message comprising the presence information of those presence entities that match the one or more criteria (Hansche et al, [0015], [0016], [0018], [0020], [0025], [0027], [0034]). It shows on how presence information is monitored.

Consider **Claim 3**, Hansche et al as modified by Mulligan discloses the method claimed in claim 1, wherein the request further comprises identifications of each one of the plurality of presence entities (Hansche et al, [0015], [0016], [0018], [0020], [0025], [0027], [0034]). It shows on how presence information is monitored.

Consider **Claim 4**, Hansche et al as modified by Mulligan discloses method claimed in claim 1, wherein the plurality of presence entities corresponds to a default

value (Hansche et al, [0015], [0016]). It shows on different types of values affects the presence information, which is being monitored.

Consider **Claim 5**, Hansche et al as modified by Mulligan fails to disclose the method claimed in claim 2, wherein the request comprises a subscription message and the response message comprises a notification message.

Nonetheless, Mulligan discloses wherein the request comprises a subscription message and the response message comprises a notification message (Mulligan, [0027]).

Therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of subscription of service, taught by Mulligan, in the system of Hansche et al for the purpose of providing subscription to presence entities that would enable proper and authorized usage of resources provided by the provider.

Consider **Claim 6**, Hansche et al as modified by Mulligan fails to disclose the method claimed in claim 2, wherein the response message comprise an XML file containing presence information of those presence entities that match the one or more criteria.

Nonetheless, Mulligan discloses wherein the response message comprises an XML file containing presence information of those presence entities that match the one or more criteria (Mulligan, [0029], [0030]).



Therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of an XML file containing data of entities, taught by Mulligan, in the system of Hansche et al for the purpose of maintaining updated information of entities and resources consumed which can be used in applications which aid in management of entities.

Consider **Claim 7**, Hansche et al as modified by Mulligan fails to disclose the method claimed in claim 2, wherein: step a. comprises the step of: a.1. receiving the request at a Web Service Gateway (WSG) for presence; step b. comprises the step of: b.1 retrieving from a presence database of a presence server, by a presence Information Retriever module of the WSG for presence, presence information of each one of the presence entities of the plurality of presence entities; step c. comprises the step of: c.1 filtering by a filtering module of the WSG for presence the presence information based on the one or more criteria for determining those presence entities that match the one or more criteria

Nonetheless, Mulligan discloses method wherein: step a. comprises the step of: a.1. receiving the request at a Web Service Gateway (WSG) for presence (Mulligan, [0011], [0012], [0014]); step b. comprises the step of: b.1 retrieving from a presence database of a presence server, by a presence Information Retriever module of the WSG for presence, presence information of each one of the presence entities of the plurality of presence entities (Mulligan, [0014], [0027], [0045]); step c. comprises the step of: c.1 filtering by a filtering module of the WSG for presence the presence information based

on the one or more criteria for determining those presence entities that match the one or more criteria (Mulligan, [0014], [0042], [0048], [0052]).

Therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of a system which consist of databases and a web service gateway and application to monitor entities, taught by Mulligan, in the system of Hansche et al, for the purpose of maintaining updated information of entities and resources consumed which can be used in applications which aid in management of entities.

Consider **Claim 8**, Hansche et al as modified by Mulligan fails to disclose method claimed in claim 2, wherein: step a. comprises the step of: a.1. receiving the request at a service logic of a presence server; step b. comprises the step of: b.1 retrieving by a presence Information Retriever module of the service logic the presence information for each one of the presence entities of the plurality of presence entities from a presence database of a presence server; step c. comprises the step of: c.1 filtering by a filtering module of the service logic the presence information based on the one or more criteria for determining those presence entities that match the one or more criteria.

Nonetheless, Mulligan discloses the wherein: step a. comprises the step of: a.1. receiving the request at a service logic of a presence server (Mulligan, [0014], [0027], [0045]); step b. comprises the step of: b.1 retrieving by a presence Information Retriever module of the service logic the presence information for each one of the presence entities of the plurality of presence entities from a presence database of a presence

server (Mulligan, [0014], [0027], [0045]); step c. comprises the step of: c.1 filtering by a filtering module of the service logic the presence information based on the one or more criteria for determining those presence entities that match the one or more criteria (Mulligan, [0014], [0042], [0048], [0052]).

Therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of a system which consist of databases and a web service gateway and application to monitor entities, taught by Mulligan, in the system of Hansche et al, for the purpose of maintaining updated information of entities and resources consumed which can be used in applications which aid in management of entities.

Consider **Claim 9**, Hansche et al as modified by Mulligan discloses the method claimed in claim 1, further comprising prior to step a. the steps of: d. receiving presence information from each one of the plurality of presence entities (Hansche et al, [0015], [0016], [0018], [0020], [0025], [0027], [0034]).

But Hansche et al fails to disclose storing the presence information received from each one of the plurality of presence entities in a presence database.

Nonetheless, Mulligan discloses storing the presence information received from each one of the plurality of presence entities in a presence database (Mulligan, [0027]).

Therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of a database containing data of entities, taught by Mulligan, in the system of Hansche et al for the purpose of

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maintaining updated information of entities and resources consumed which can be used in applications which aid in management of entities.

Claims **10-20**, have similar limitations as to claims **1-9**; therefore they are rejected under the same rational as to claims **1-9**.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anish Sikri whose telephone number is 571-270-1783. The examiner can normally be reached on 8am - 5pm Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anish Sikri  
a.s.

September 5, 2007

  
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